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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,804	01/11/2002	Paul H. DeKeyser	101488.0001US1	9078
24392	7590	10/09/2007		
FISH & ASSOCIATES, PC ROBERT D. FISH 2603 Main Street Suite 1050 Irvine, CA 92614-6232			EXAMINER TEKLE, DANIEL T	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/043,804

Applicant(s)

DEKEYSER ET AL.

Examiner

Daniel Tekle

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3,4,7-13,15 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 3-4, 7-13, 15 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 12, 2007 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 3-4, 7-13 and 15-16 are have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 3-4, 7-13 and 15-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yuen et al (US 5488409).

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Regarding Claim 3: Yuen et al. discloses a method of claim 7, further comprising: providing a loop remnant directory to determine a changing boundary between newly ones of the frames (**column 59 lines 51-67**).

Regarding Claim 4: Yuen et al. discloses a method of claim 7, further comprising: deal locating at least some of the addresses from the index (**column 13 lines 20-33**).

Regarding Claim 7: Yuen et al. discloses a method of recording a data, comprising: providing a memory; using an index to store different addresses of the memory for each of a plurality of sequential frames of the data recorded (**columns 12-13, lines 52-6**); retrieving at a least a portion of the data by accessing the memory addresses from the index (**columns 12-13, lines 52-6**); looping the data on the memory by overwriting a portion of the memory (**column 59 lines 51-67**); and providing a loop remnant directory to determine a changing boundary between newly ones of the frames (**column 59 lines 51-67**).

Regarding Claim 8: Yuen et al. discloses a method of recording of claim 7, wherein the index identifies individual ones of the plurality of frames using at least one of frame number, time, and date (**column 14 lines 1-17**).

Regarding Claim 9: Yuen et al. discloses a method of recording of claim 7, wherein the different addresses are start addresses (**column 13 lines 1-6**).

Regarding Claim 10: Yuen et al. discloses a method of recording of claim 7, further comprising storing individual ones of the plurality of sequential frames in a digital format (**column 13 lines 44-53**).

Regarding Claim 11: Yuen et al. discloses a method of recording of claim 7, wherein the index comprises a table (**column 17 table II**).

Regarding Claim 12: Yuen et al. discloses a method of recording of claim 7, further comprising using the index to identify addresses that can be overwritten (**column 59 lines 51-67**).

Regarding Claim 13: Yuen et al. discloses a method of recording of claim 7, further comprising overwriting a portion of the memory used to store an earlier one of the plurality of sequential frames with a later one of the plurality of sequential frames, and recording corresponding information in the index (**column 59 lines 51-67**).

Regarding Claims 15-16: Claims 15-16 are rejected for the same subject matter as claim 7.

Conclusion

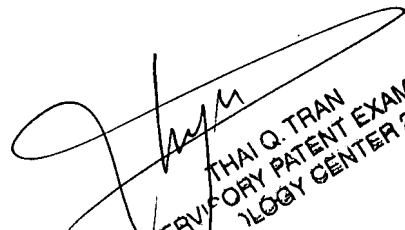
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle



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SUPERVISORY PATENT EXAMINER
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